

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

TRAVELERS PROPERTY CASUALTY
COMPANY OF AMERICA,

Plaintiff,

v.

CRITCHFIELD MECHANICAL, INC., et
al.,

Defendants.

Case No. 21-cv-01319-VKD

**ORDER FOR REASSIGNMENT TO
DISTRICT JUDGE**

Defendant Critchfield Mechanical, Inc. (“Critchfield”) removed this action to this Court from the Superior Court of California for the County of Santa Clara. Dkt. No. 1. On March 12, 2021, Critchfield and plaintiff Travelers Property Casualty Company of America (“Travelers”) filed a stipulated request to remand the action back to state court. Dkt. No. 7. Neither Critchfield nor Travelers has indicated whether it consents to or declines magistrate judge jurisdiction, and other defendants have not yet appeared in the action or indicated whether they consent to or decline magistrate judge jurisdiction.

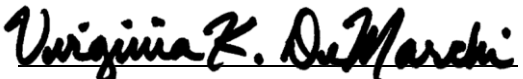
Absent the consent of all parties, this Court does not have jurisdiction over this matter and must refer the case to a district judge. 28 U.S.C. § 636; *Williams v. King*, 875 F.3d 500 (9th Cir. 2017); *see also Flam v. Flam*, 788 F.3d 1043, 1045–47 (9th Cir. 2015) (magistrate judge does not have authority to issue a remand order under 28 U.S.C. § 1447(c) absent full consent of all parties).

Accordingly, it is ordered that this case be reassigned to a district judge. All pending motion hearings and scheduled appearances are hereby vacated and will be reset by the newly

1 assigned judge.

2 **IT IS SO ORDERED.**

3 Dated: March 15, 2021

4
5 
6 VIRGINIA K. DEMARCHI
7 United States Magistrate Judge
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

United States District Court
Northern District of California